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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/971,029	10/05/2001	Heikan Izumi	1163-0360P	3732
2292	7590	05/16/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			KE, PENG	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/971,029

Applicant(s)

IZUMI ET AL.

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This action is responsive to communications: Amendment, filed on 2/17/05.

This action is final.

Claims 1-11 are pending in this application. Claims 1, 10, and 11 are independent claims. In the Amendment, filed on 2/17/05, claims 1-11 were amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Perkes (US 6,373,503).

As per claim 1, Perkes teaches a digital broadcast receiving device comprising:

A receiving unit, arranged in a computer, for receiving a high-definition television picture of a digital broadcast signal and decoding the high-definition television picture (col. 2, lines 50-60); and

A selector, arranged in the computer, for selecting either the high-definition television picture decoded by the receiving unit or an output picture of the computer, such that the selected high-definition television picture or the selected output picture is output for display, (col. 3, lines 50-65)

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Wherein said selector receives said output picture of the computer via a first path and receives said high-definition television picture via a second path, which by-passes a peripheral component interconnect (PCI) bus of the computer. (col. 2, lines 15-21)

As per claim 2, Perkes teaches a digital broadcast receiving device according to claim 1, wherein the receiving unit is arranged on a board and is set in the computer (col.2, lines 4-14).

As per claim 3, Perkes teaches a digital broadcast receiving device according to claim 1, wherein the receiving unit is arranged in a card and is set in the computer (col. 2, lines 37-50).

As per claim 4, Perkes teaches a digital broadcast receiving device according to claim 1, wherein the high-definition television picture or the output picture of the computer is displayed on a monitor of the computer. (col.3, lines 50-64)

As per claim 5, Perkes teaches a digital broadcast receiving device according to claim 1, wherein the high-definition television picture or the output picture of the computer is displayed on a monitor of a high-definition television. (col. 3. lines 53-64)

As per claim 6, Perkes teaches a digital broadcast receiving device according to claim 1, further comprising a central processing unit, arranged in the computer, for controlling the receiving unit and the selector such that the high-definition television picture decoded by the receiving unit is output for display (col. 2, lines 37-50).

As per claim 7, Perkes teaches a digital broadcast receiving device according to claim 6, further comprising a peripheral component interconnect bus arranged in the computer, wherein contents of a data broadcast signal multiplexed in the digital broadcast signal are output by the

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receiving unit to the central processing unit through the peripheral component interconnect bus (col. 2, lines 38-58).

As per claim 8, Perkes teaches a digital broadcast receiving device according to claim 6, further comprising a peripheral component interconnect bus arranged in the computer, wherein an electronic program guide multiplexed in the digital broadcast signal is output by the receiving unit to the central processing unit through the peripheral component interconnect bus (col. 2, lines 38-58).

As per claim 9, Perkes teaches a digital broadcast receiving device according to claim 1, further comprising a peripheral component interconnect bus arranged in the computer; and

a graphic card, arranged in the computer, for storing the output picture of the computer, wherein the high-definition television picture is converted into a normal picture by the receiving unit and is stored in the graphic card through the peripheral component interconnect bus, and the normal picture stored in the graphic card is selected for (col. 2, lines 38-58).

As per claim 10, it is rejected with same rationale as claim 1. (see rejection above)

As per claim 11, it is rejected with same rationale as claim 1. (see rejection above)

Response to Argument

Applicant's arguments filed on 2/17/05 have been fully considered but they are not persuasive.

Applicant argues that Perkes fails to teach a selector that selects either a decoded high-definition television picture or an output to a display, receives an output picture of the computer via a first path and receives the high definition television picture via a second path that by-passes a peripheral computer interconnect bus of the computer.

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Examiner disagrees. Perkes teaches a monitor that have an input for a computer and an input for audio/video signal. (col. 2, lines 15-21) Therefore the high definition television's signal is bypassing the peripheral computer interconnect bus of the computer.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke


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